

Remarks

9 claims are currently on file.

The claims have been amended to more particularly claim what Applicant believes is the invention. In particular, Claim 1 has been amended to claim a single press OSB panel comprising a first oriented strand face having a layer of wood flakes mixed with a thermoset resin binder, the first oriented strand face defining a plane, a second oriented strand face having a layer of wood flakes mixed with a thermoset resin binder, and a core material provided between the first oriented strand face and the second oriented strand face, the core material defining voids having boundaries that are essentially orthogonal to the plane defined by the first oriented strand face, the voids extending between the first and second oriented strand faces. The wood flakes have dimensions sufficient to bridge the voids. The bridging of the voids provides the structural integrity necessary to support the fabrication of the resultant composite structure using a single press cycle.

Support for this inclusion can be found in particular at paragraph 24 of the disclosure. Applicant believes that no new matter has been introduced by this amendment.

Claims 1, 4, 5 and 37 were rejected by the Examiner under 35 USC §103(a) as being unpatentable over Winter in view of Spivey. Applicant respectfully submits that the claims as amended overcome the objection as follows. Winter discloses prefabricated building panel comprising an inner skin wherein the inner and outer skin layers may comprise oriented strand board and wherein the middle layer comprises a paper honeycomb having voids. Spivey discloses an oriented strand board used for a stair tread panel. However, neither Winter or Spivey, taken alone or together discloses an oriented strand board composite structure comprising two oriented strand faces with a core material defining voids sandwiched in between and wherein the wood flakes have dimensions sufficient to provide bridging of the voids. Indeed, the panel as disclosed in Winter is fabricated by bonding prefabricated sheets to a stable core which can include a paper honeycomb. As Winter does not

discuss the fabrication of such a structure using a single press cycle, there would be no reason for the prefabricated sheets of Winter to use wood flakes having dimensions sufficient to provide bridging of the voids defined by the paper honeycomb. As a result, Applicant submits that neither Winter taken alone or in combination with Spivey, or for that manner any other of the cited references, teaches such a panel where the wood flakes used to fabricate the outer layers have dimensions sufficient to provide bridging of the voids defined by the core material.

In order to establish a prima facie case of obviousness by modifying or combining reference teachings, MPEP § 2143 requires that the prior art references must teach or suggest all the claim limitations. It is believed that, in light of the above discussion, this criteria has not been met.

Claims 2 and 3 were rejected by the Examiner under 35 USC §103(a) as being unpatentable over Winter in view of Spivey as applied to claims 1, 4, 5, and 37 and further in view of Medawar. Medawar is directed to a method for reinforcing a collapsed or crushed honeycomb core structure against further collapse under pressure by filling the voids with the plastic material capable of withstanding pressure. Firstly, it is apparent in Medawar that the walls of the once honeycomb shaped crushed portion into which the reinforcing plastic material is introduced are not longer orthogonal to the surface of the panel. Secondly, the plastic material in Medawar is used to fill the void space in the core. In the present invention, the inorganic filler is added to the material used to form the core, and is not placed in the voids. In fact, filling the voids is undesirable as it increases the overall density of the product. The core structure proposed in Applicant's disclosure and verified in the examples relies on the material surrounding the voids not collapsing under pressures placed on the panel during fabrication, and thus the voids are preserved during hot pressing. It is therefore respectfully submitted that claims 2 and 3 would not have been obvious to one of ordinary skill in the art and therefore are allowable.

Again, in order to establish a prima facie case of obviousness by modifying or combining reference teachings, the prior art references must teach or suggest all the claim limitations. It is believed that, in light of the above discussion, this criteria has

not been met in regards to claims 2 and 3 and therefore that claims 2 and 3 are allowable. In any case, it is submitted that claims 2 and 3, as ultimately depending from an allowable claim, are also allowable.


Claims 6 and 10 were rejected by the Examiner under 35 USC §103(a) as being unpatentable over Winter in view of Spivey as applied to claims 1, 4, 5, and 37 and further in view of Haywood. Haywood discloses the fabrication of articles, in particular boards, from a paper sludge precursor. No mention is made in Haywood of using boards fabricated according to the disclosure as the core of an oriented strand board composite structure or even of perforating the boards. The present invention at claim 6 claims a perforated mat fabricated from paper sludge being resistant to compression during the press cycle. Similarly, claim 10 claims a perforated mat fabricated from one of a variety of different materials including paper mill sludge, recycled paper, vulcanized rubber, thermoset plastics and volcanic rock, also resistant to compression during the press cycle. It is respectfully submitted that claims 6 and 10 would not have been obvious to one of ordinary skill in the art.

Again, in order to establish a prima facie case of obviousness by modifying or combining reference teachings, the prior art references must teach or suggest all the claim limitations. It is believed that, in light of the above discussion, this criteria has not been met in regards to claims 6 and 10 and therefore that claims 6 and 10 are allowable. In any case, it is respectfully submitted that both claim 6 and 10 as depending from allowable claims, are also allowable.

The rejections of the original claims are believed to have been overcome by the present remarks and the introduction of new claims. From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such an action is earnestly solicited. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,
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